



AS - Lambeth Licensing & Night
Time Economy Team
Civic Centre, 3rd Floor
6 Brixton Hill,
SW2 1EG

9th March 2021
Contact: PC Mike Constable

Miss Bina Patel
Licensing Manager
Lambeth Borough Council

RE: Objection – Cativo, 207 Ferndale Road, SW9

21/00015/TEN – 30th to 31st May 2021

From 2300 to 0200 hours

Capacity – 150

Sale of alcohol and Late Night Refreshments.

Notice of objection under Section 104 (2) of the Licensing Act 2003

Dear Miss Patel.

Notice of objection is hereby given on behalf of the Commissioner of Police for the Metropolis for the above Temporary Event Notice (TEN) on the grounds:

- Prevention of crime and disorder.
- Prevention of Public Nuisance.

With regards to London Borough Of Lambeth's Statement of Licensing Policy 2019 – 2024

‘12.11.

When a TENs is submitted the Authority expects that the following information will be provided:

- A risk assessment and capacity determination;

To address the concerns of Covid-19 spreading the Health Protection Regulations 2020 were brought in by the Government.

<https://www.legislation.gov.uk/uksi/2020/684/regulation/5>

The MPS are raising this concern as the common law offence of causing a public nuisance historically, includes the risk of spreading contagious diseases. This is also a criminal offence.

(For the criminal offence of causing a public nuisance see: *R v Rimmington; R v Goldstein* [2005] UKHL 63). 1

There is no mention of how they will manage this with no Covid-19 Risk assessment provided.

Furthermore there is no information provided on how they will manage their patrons especially as this will take place in the early hours of the morning. There is the expectation that due to relaxation in restrictions there will be an overwhelming amount of people wishing to go out. How will this be monitored and dealt with?

Conclusion

Whilst it is acknowledged that businesses are struggling, we all need to play our part during this pandemic. There is the reasonable expectation of how this would be managed.

The increase in hours will facilitate further alcohol consumption, which is believed will lead to an increase in criminality and anti-social behavior.

The Metropolitan Police Service recommends that TEN is not granted. This will ensure the full adhering to the Coronavirus Health Protection Regulations 2020. In order to help reduce the spread of Corona Virus and fully promote the Licensing Objectives.

Yours sincerely,

Mike Constable | PC 1596 AS - Licensing & Night Time Economy Team | Lambeth Borough

Address Civic Centre, 3rd Floor, 6 Brixton Hill, SW2 1EG

1 - In reference to Pendulum Pub V West Midlands Police 2020 – Summary Review.
<https://www.ftbchambers.co.uk/news/pendulum-pub-licence-revoked-summary-review-hearing-breaking-lockdown-regulations>

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RE: Objection – Cativo, 207 Ferndale Road, SW9

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From 2300 to 0200 hours
Capacity – 150

Sale of alcohol and Late Night Refreshments.

Notice of objection under Section 104 (2) of the Licensing Act 2003

Dear Miss Patel.

I write on behalf of the London Borough of Lambeth Public Protection team to make a representation, on the grounds of the following Licensing Objectives

- Prevention of crime and disorder.
- Prevention of Public Nuisance.

With regards to London Borough Of Lambeth's Statement of Licensing Policy 2019 – 2024
'12.11.

When a TENs is submitted the Authority expects that the following information will be provided:

- A risk assessment and capacity determination;

To address the concerns of Covid-19 spreading the Health Protection Regulations 2020 were brought in by the Government.

The Public Protection are raising this concern as the common law offence of causing a public historically, includes the risk of spreading contagious diseases.

There is no mention of how they will manage this with no Covid-19 Risk assessment provided.

There is no information provided on how they will manage their patrons especially as this will take place in the early hours of the morning

There is the expectation that due to relaxation in restrictions there will be an overwhelming amount of people wishing to go out. How will this be monitored and appropriate action be taken?

Conclusion

We acknowledged that businesses are struggling, we all need to play our part during this pandemic. There is the reasonable expectation of how this would be managed.

The increase in hours will facilitate further alcohol consumption, which is believed will lead to an increase in criminality, anti-social behavior and noise nuisance.

The Public Protection recommends that TEN is not granted.

Arif Kokkoz

Public Protection Officer

Public Protection & Regulatory Services

Environment Directorate

Resident Services

London Borough of Lambeth

Civic Centre

6 Brixton Hill

SW2 1EG